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February 23, 2022

By ECF
Hon. Lewis J. Liman
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

> Re: *Shostack v. Sunrun Inc. et al.*, Case No. 1:22-cv-01340-LJL

Dear Judge Liman:

We represent defendants Sunrun Inc. and Clean Energy Experts LLC (collectively, "Defendants") in the above-referenced matter and write to respectfully request that the Court set a deadline for *pro se* plaintiff Dave Shostack to file the Complaint in this action.

On January 18, 2022, Shostack served an amended summons with notice pursuant to CPLR 3012(b) upon Defendants alleging a federal cause of action under the Telephone Consumer Protection Act, 47 U.S.C. §227 *et seq.* (ECF No. 1-1). On February 16, 2022, Defendants timely removed this action from the Supreme Court of New York County to this Court. (ECF No. 1). Prior to removal and pursuant to CPLR 3012(b), Defendants filed a demand for service of the Complaint. (ECF No. 1-1). Plaintiff has not yet filed a Complaint. In light of plaintiff proceeding *pro se* and the removal of this matter to this Court, Defendants respectfully request the Court enter the proposed schedule below:

- Plaintiff file the Complaint by March 25, 2022;

- Defendants' response to the Complaint due by April 25, 2022.

Thank you for your consideration.

Respectfully submitted,

/s/ Glenn T. Graham

Glenn T. Graham

cc: Dave Shostack (via FedEx)

Hon. Lewis J. Liman
February 23, 2022

CERTIFICATE OF SERVICE

I hereby certify that on February 23, 2022, I caused a copy of the foregoing to be served on

plaintiff Dave Shostack by Fedex to the plaintiff's address: 4 Suttonwood Dr., Commack, NY 11725.

KELLEY DRYE & WARREN LLP

By: */s/ Glenn T. Graham*
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